

Diocese: Vatican rejects appeal of blanket excommunications

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LINCOLN, Neb. (AP) -- An appeal of the threatened blanket excommunication of scores of Lincoln Catholics has been rejected by the Vatican, the Lincoln Diocese confirmed Friday.

But some canon (sic) law experts questioned whether such a blanket action was valid.

"It's against the whole spirit of Church law," said Monsignor Kenneth Lasch, a retired canon lawyer in Morristown, N.J.

Bishop Fabian Bruskewitz ordered Lincoln Catholics in March 1996 to sever their ties to 12 groups or face excommunication two months later. The bishop said the groups -- including Call to Action, several Masonic organizations, and abortion-rights groups Planned Parenthood and Catholics for a Free Choice - - contradict and imperil Catholic faith.

The order was put on hold while it was appealed.

Under excommunication, Catholics cannot receive Holy Communion. They cannot be married or buried in the church. Excommunicated Catholics may be forgiven through the sacrament of confession or may be absolved in their dying hour by a priest.

The Vatican notified Bruskewitz "some time ago" that the appeal was rejected, said Rev. Mark Huber, a spokesman for the diocese.

He declined to say why the decision had not been made public and deferred questions to Cardinal Giovanni Battista Re, head of the Congregation of Bishops in Rome.

Re did not immediately respond to a fax seeking comment sent to the Vatican on Friday.

Huber said the appeal was rejected because it challenged a church law -- specifically, legislation from the 1996 Synod of the Diocese of Lincoln -- which prohibited membership in the organizations.

"They can't appeal a particular law," he said. "They can appeal a judicial sentence or an administrative decree. Excommunication is part of the law."

Lasch, who said he was not aware of a mass excommunication ever being done in the United States, said he was dubious of what he called Bruskewitz's "generic warning" of excommunication.

Lasch said that while Bruskewitz "has the authority to do what he did, the spirit of Church law has not been observed by him.

"It's only under the most extreme circumstances that such laws should be promulgated," he said.

"Bishops ... should avoid using these extreme measures except in the most dire of circumstances. It has to be proven that membership" in one of the groups "is in fact resulting in great scandal to the faithful of the diocese.

"I really think it's a stretch to impose such a penalty," he said. "It borders on scare tactics."

The Rev. Patrick Cogan, former executive coordinator of the Canon Law Society of America in Washington, D.C., said he also doubted whether a blanket excommunication is valid.

"Bishops just can't identify organizations and say if you belong to them, you are excommunicated," Cogan said, adding that people must be notified individually of excommunication.

The bishop said in 1996 that people must use their conscience to know if they were affected by the excommunication warning.

Huber said Friday that members of the listed groups who are aware of Bruskewitz's 1996 order and now know that the appeal was rejected by the Vatican have two months to sever ties with the organizations or be excommunicated.

"That's my understanding," he said.

The appeal of Bruskewitz's order had faded from the public light until this week, when an official with the Lincoln chapter of Call to Action told The Associated Press that he was denied communion by Bruskewitz and two other priests in the past month.

John Krejci, a former priest and co-founder of the Nebraska chapter of Call to Action, said Bruskewitz denied him communion at Sacred Heart parish on Feb. 7, with "an unfriendly wave of his hand."

Call to Action has long been critical of how the church handled allegations of sexual abuse of children by priests.

Krejci said Friday that he wanted proof that the appeal had been rejected before he takes any action.

"Until we see it in writing, nothing has really changed," he said. "If this happened some time ago, why were we not informed?"